

United States District Court

APR 18 2018

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Andres Alberto Escamilla-Alvarado

Principal

Case Number:

YOB: 1986

Mexico

M-18-0820 -M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about April 17, 2018 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Oscar Joel Maldonado-Nunez, and Milagro Suyapa Fabrega-Regalado, citizens of Honduras, along with nineteen (19) other undocumented aliens, for a total of twenty-one (21), who had entered the United States in violation of law, concealed, harbored or shielded from detection or attempt to conceal, harbor, or shield from detection such aliens in any place, including any building or means of transportation, to wit: at a residence located in San Juan, Texas

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(iii) FELONY

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

Border Patrol Agents received information from the Kingsville Border Patrol Station regarding a residence used to harbor undocumented aliens in San Juan, Texas. On April 17, 2018, agents conducted surveillance at the residence and observed a white extended cab Chevrolet truck parked inside the property. Moments later, agents observed the truck depart the residence making its way to a local carwash. Shortly thereafter, agents observed the driver, later identified as Andres Alberto Escamilla-Alvarado and a male passenger later identified as Jose Ignacio ZELAYA-Martinez, exit the truck.

SEE ATTACHMENT

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No4/18/18
Approved by

Sworn to before me and subscribed in my presence,

April 18, 2018
Date

3:33 pm

Peter E. Ormsby, U. S. Magistrate Judge
Name and Title of Judicial Officer

Signature of Complainant

David Bernal III Senior Patrol Agent

Printed Name of Complainant

at McAllen, Texas
City and State

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-18-0820 -M

RE: Andres Alberto Escamilla-Alvarado

CONTINUATION:

As local law enforcement and agents attempted to make an approach on ESCAMILLA, ESCAMILLA began to run away and was observed tossing a cell phone into the grass. After a short foot pursuit, ESCAMILLA was detained. Agents also detained ZELAYA at the carwash and an additional female subject who had remained sitting inside the truck. All three subjects were determined to be illegally present in the United States. ESCAMILLA was read his Miranda Rights, understood his rights and requested a lawyer.

During a field interview, ZELAYA was questioned regarding any additional undocumented aliens remaining at the residence. ZELAYA stated there was about 10 to 15 undocumented aliens at the residence. Agents along with local law enforcement proceeded to the residence and knocked on the door. A male subject opened the front door, voluntarily exited and informed agents there were several more subjects inside the residence. Eighteen additional subjects voluntarily exited the residence and all subjects were determined to be illegally present in the United States.

All subjects were placed under arrest and transported to the Border Patrol Station for processing.

PRINCIPAL 1

Andres Alberto ESCAMILLA-Alvarado, a citizen of Mexico, was read his Miranda Rights and refused to provide a statement without an attorney present.

MATERIAL WITNESS 1

Oscar Joel MALDONADO-Nunez, a citizen of Honduras was read his Miranda Rights and agreed to provide a statement.

MALDONADO stated he made his smuggling arrangements and was to pay \$5,000 USD. Once in the United States, MALDONADO stated he was initially transported to an unknown house and was later picked up by a male subject driving a car who transported him to the house he was arrested in. MALDONADO stated as he was being transported to the house, the driver of the car slapped him on the head and told him if he was caught looking around, he would hit him harder. MALDONADO indicated when they first arrived to the house; the driver of the car opened the door to the house with a key and instructed him to go inside. MALDONADO claimed the driver told him "The one in charge here is me", and requested more money from him. Maldonado stated the driver took his cell phone away, provided food and instructed him to keep the noise down.

MALDONADO identified ESCAMILLA through a photo lineup as the person who transported him to the house he was arrested in and the caretaker.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-18-0320-M

RE: Andres Alberto Escamilla-Alvarado

CONTINUATION:

MATERIAL WITNESS 2

Milagro Suyapa FABREGA-Regalado, a citizen of Honduras, was read her Miranda Rights and agreed to provide a statement.

FABREGA stated her family made her smuggling arrangements and was to pay \$4,000 USD. Once in the United States, FABREGA stated she was transported to an unknown parking lot and was later picked up by a male subject who transported her to the trailer house she was arrested in. FABREGA indicated when they arrived to the trailer house; the driver opened the front door and instructed her to go inside. FABREGA stated the driver took her cell phone away and instructed her not to go outside. FABREGA indicated the driver would check up on them every day and would bring them food and water.

FABREGA identified ESCAMILLA through a photo lineup as the person who transported her to the house she was arrested in and the caretaker.